REMARKS

Claims 1-4, 6-13 and 15-34 are pending. Claims 1, 6, 8, 9, 10, 15, 17-20 and 28 have been amended. Claims 5 and 14 have been cancelled. Claims 31-34 are new. Support for the claim amendments is found at page 10, lines 1-30,

Claims 1, 3-7, 9-10, 12-16. 18-21. 23. 25-26. 28 and 30have been rejected under 35 USC 102(b) as allegedly anticipated by Erickson. Applicant respectfully traverses this rejection.

The present invention is directed to a web-based technology management system and method of use for helping patent or trade secret owners, especially small entities, find buyers or licensees for their inventions. It is a method where the patent or trade secret owner can efficiently and inexpensively on a uniform compliant platform bring his patent or trade secret to the market place, find an interested purchaser, interest the purchaser and hopefully progressively increase his/her the motivational interest and retain the purchaser in the process. In doing this, the patent or trade secret owner can sort out the curious from the serious by asking for consideration at each step in exchange for the giving up of more information that is successively more confidential and more secure.

The present invention actually provides for a reverse way of selling patented or trade secret technology by making the purchaser provide consideration to find out what the patent or trade secret is about and what benefits it provides. This precludes other less direct formats such as paying an agency to sell a patented invention which is non-uniformly regulated.

The present invention differs from Erickson because the seller presents a second level of disclosure that is more confidential and more secure than the first level of disclosure.

Erickson is directed to a system and method for managing copyrighted Electronic media. In Erickson, the copyrighted music is fully disclosed on a server for limited use. "Without a license, users are typically permitted to view the packaged media." (Abstract) The user can view but not down load without a license. The Abstract states, "but cannot save or otherwise transfer the media without obtaining auxiliary permissions to do so from the authorization server." There is no second level of disclosure that is more confidential and more secure than the first level of disclosure as is required by the presently claimed invention. In other words, Erickson allows an initial full viewing of the media and only controls the saving or downloading of the media onto the user's computer without a license.

It is important to note that Erickson discloses nothing about the problems associated with the licensing or assignments of patents or trade secrets. Patents and trade secrets have a completely different set of selling problems than copyrights because they relate to technology rather than original works such as music. Therefore, Erickson does not anticipate the claimed invention.

It is believed that this rejection is overcome and withdrawal of the rejection is respectfully requested.

Claim has been rejected under 35 USC 103(a) as allegedly unpatentable over Erickson in view of Schneck, et al. Applicant respectfully traverses this rejection.

As stated above, Erickson allows an initial full viewing of the media and only controls the saving or downloading of the media onto the user's computer without a license and the making of multiple copies. Erickson does not disclose the presently claimed invention because it does not provide a second level of disclosure that is more confidential and more secure than the first level of disclosure. Erickson is also not related to the transfer of rights relating to patents or trade secrets.

Schneck does not make up for the deficiencies of Erickson because it does not shed any light on how to enter into a contract for the transfer of patent rights to a seller. Schneck is only directed to a system for controlling access and re-distribution of digital property such as software. Schneck does this by protecting certain portions of the data leaving certain portions of the data are unprotected. Access to protected portions of the data is prohibited to prevent software from being duplicated. Protected portions of data are presented to a user in a non-useable form.

The problems associated with transfer of rights in a patent or trade secret are very different than the problems associated with software pirating. The varying levels of disclosure in Schneck are not designed to entice a perspective purchaser to purchase rights in a patent or trade secret or help a seller distinguish a curious purchaser from a serious qualified purchaser.

Neither reference would have led a person of ordinary skill in the art to the present invention because Erickson is only trying to prevent copyrighted songs from being downloaded and redistributed without a license and the different levels of disclosure in Schneck are only provided to prevent software from being pirated and redistributed multiple times. The Schneck levels of disclosure and controlled access

would not have aided Erickson because Erickson did not need to have varying levels of disclosure for its intended purpose, i.e. the prevention of use of copyrighted songs without license. Because neither Erickson nor Schneck provide any motivation or suggestion for their combination or for the use of either of their systems for the transfer of patent or trade secret rights with the unique issues relating thereto, they do not render obvious the claimed invention.

Reconsideration and allowance are respectfully requested.

Respectfully submitted,

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